

Fuel Oil Non-Availability Report
North American Emissions Control Area
(NA-ECA)

MARPOL Annex VI Regulation 18.2, as incorporated by reference in 40 C.F.R. § 1043.100, provides that a vessel not in compliance with the fuel oil sulfur standards will:

- “(1) present a record of the actions taken to attempt to achieve compliance; and
- (2) provide evidence that it attempted to purchase compliant fuel oil in accordance with its voyage plan and, if it was not made available where planned, that attempts were made to locate alternative sources for such fuel oil and that despite best efforts to obtain compliant fuel oil, no such fuel oil was made available for purchase.”

Vessel's Name: THORCO CONQUEST
Vessel's Flag: ANTIGUA AND BARBUDA
Identification Number: 9217151
(IMO or other): IMO

Voyage Plan

(Note: This plan should reflect what is in effect at the time of the vessel's entry into the North American ECA)

Port of Origin: GLADSTONE
Port of Destination: PEARL HARBOR
First U.S. Port of Arrival: PEARL HARBOR

List of all port visits beginning with the Port of Origin and ending at Port of Destination:

- 1. Port of Origin: KAOHSIUNG
 - 2nd Port Visit: DARWIN
 - 3rd Port Visit: GLADSTONE
 - 4th Port Visit: PEARL HARBOR
 - 5th Port Visit: CALLAO
 - 6th Port Visit:
 - 7th Port Visit:
 - 8th Port Visit:
 - 9th Port Visit:
 - 10th Port Visit:
- (Insert more as needed)

Date and Time Vessel Received Notice it would transit the NA-ECA: 1ST OCT
Location of Vessel when notice was received it would transit the NA-ECA: AT SEA

Date and Time vessel is expected to enter the NA-ECA: 1ST NOV 1800LT
Date and Time vessel is expected to exit the NA-ECA: 2ND NOV PM
Projected number of days the main propulsion engines will be operated in the NA-ECA: 24 HOURS

Sulfur Content of Fuel Oil used when entering the NA-ECA: MGO 0,45 PPM
Sulfur Content of Fuel Oil used while operating in the NA-ECA: MGO 0,45 PPM

A description of the actions taken to attempt to achieve compliance prior to entering the North American ECA, including a description of all attempts that were made to locate alternative sources of compliant fuel oil, and a description of the reason why compliant fuel oil was not available (e.g., compliant fuel oil was not available at ports on "intended voyage;" fuel oil supply disruptions at port; etc.

Note: The United States government does not consider the cost of compliant fuel oil to be a valid basis for claiming the non-availability of compliant fuel oil. Include names and addresses of the fuel oil suppliers contacted and the dates on which the contact was made.

Vessel's original schedule was Kaohsiung (load) - Gladstone (bunker) - Callao (discharge) with no intention to call NA ECA area. Vessel was first notified of NA ECA entry 1st October when our commercial department fixed military cargo from Darwin to Pearl Harbor.

Actions taken:

Bunkering MGO 0.1% was considered in Darwin however we made the commercial decision to bunker instead in Gladstone for the following reasons:

- 1. Very short port stay in Darwin
- 2. Bunker stop in Gladstone was already planned

We placed an order for 80mts MGO 0.1% for Gladstone

In Gladstone, upon receipt of first 30mts MGO, Master notified us immediately that sulfur content was not suitable for NA ECA area. No further bunkers were taken

Due to miscommunication within Thorco, it was discovered that MGO 0.45% was ordered instead of MGO 0.1% - this was not visible in the bunker order confirmation where no sulfur content was mentioned. MGO 0.1% is not available in Gladstone

In cases of fuel oil supply disruption, the name of the port at which the vessel was scheduled to receive compliant fuel oil and the name of the fuel oil supplier that is now reporting the non-availability of compliant fuel oil.

N/A

If applicable, identify and describe any operational constraints that prevented you from using available compliant fuel oil, for example with respect to viscosity or other fuel oil parameters. Specify steps you have taken, or are taking, to resolve these operational constraints that will allow you to use all commercially available residual fuel oil blends.

Upon first notification of first NA ECA entry, vessel had 12.63mts MGO 0.1% compliant fuel on board which was insufficient for Pearl Harbor

Actions taken:

Agents in Pearl Harbor were immediately notified and we have arranged 45mts MGO 0.1% for immediate supply in Pearl Harbor

Master has been instructed to burn existing MGO on board to enter NA ECA area which consists of a mix of 0.1% and 0.45% sulfur. No HFO will be burned

Describe the availability of compliant fuel oil at the first port-of-call in the United States, and your plans to obtain that fuel oil.

45mts MGO 0.1% has been arranged for immediate supply in Pearl Harbor

If compliant fuel oil is not available at the first port-of-call in the United States, describe the lowest sulfur content of available fuel oil, or the lowest sulfur content of available fuel oil at the next port-of-call in the United States.

N/A

If the vessel has operated in the North American ECA in the prior 12 months, provide the names of all U.S. ports visited, the dates of the port calls, and whether the vessel used compliant fuel oil.

N/A

If the vessel or owner/operator has submitted a Fuel Oil Non-Availability Report to the United States government in the previous 12 months, identify the number of Fuel Oil Non-Availability Reports previously submitted, and provide details on the dates and ports previously visited while using non-compliant fuel oil.

Under Operations Team 2 in Thorco, two (2) Fuel-Oil Non-Availability Reports have been previously submitted

MV Fortune - 6th January 2015 - Philadelphia
MV Clipper Cristobal - 11th April 2014 - Beaumont

Provide all relevant contact information, including the ship master, ship operator, legal agent in the United States, ship owner, and any related parent companies. Also include a designated corporate official who is authorized to answer additional questions relating to claims of fuel oil unavailability and his or her full contact information.

Ship Master

Capt Gnedoy

Tel: +870 773 228 692

Email: MARMALAITA@mc-fleet.net

Ship Operator/Manager

Thorco Shipping A/S

Tuborg Parkvej 10

DK-2900 Hellerup

Denmark

Tel: +45 6320 3000

Email: 2ops@thorcoshipping.com

***Operator for this voyage**

Ms Lee Kah Mun

Operations Manager

Tel: +65 6922 8620

Email: 2ops@thorcoshipping.com

Legal agent in United States

Thorco Shipping America, Inc

2500 East T.C. Jester Blvd Suite 300

Houston, TX 77008

USA

Tel: +1 821 404 4250

Email: 2ops@thorcoshipping.com

Ship Owner

MS Marmalaita Schiffahrtsgesellschaft GmbH & CO. KG

Technical Management

Marconsult Schiffahrts GmbH & CO. KG

Gasstrasse 4 b - Halle K 5

22761 Hamburg - Germany

Tel: +49 (0) 40 - 380 20 4 - 0

charter@mc-schiffahrt.de

The United States government will consider the information submitted in a Fuel Oil Non-Availability Report to be reliable only if the report is signed by an authorized representative of your company and contains the following affirmation:

"I certify under penalty of law that the statements and information made herein are, to the best of my knowledge and belief, true and complete. I am aware that there are significant penalties for knowingly submitting false statements and information, including the possibility of fines and imprisonment pursuant to 18 U.S.C. § 1001."

Signed:



Lee Kah Mun

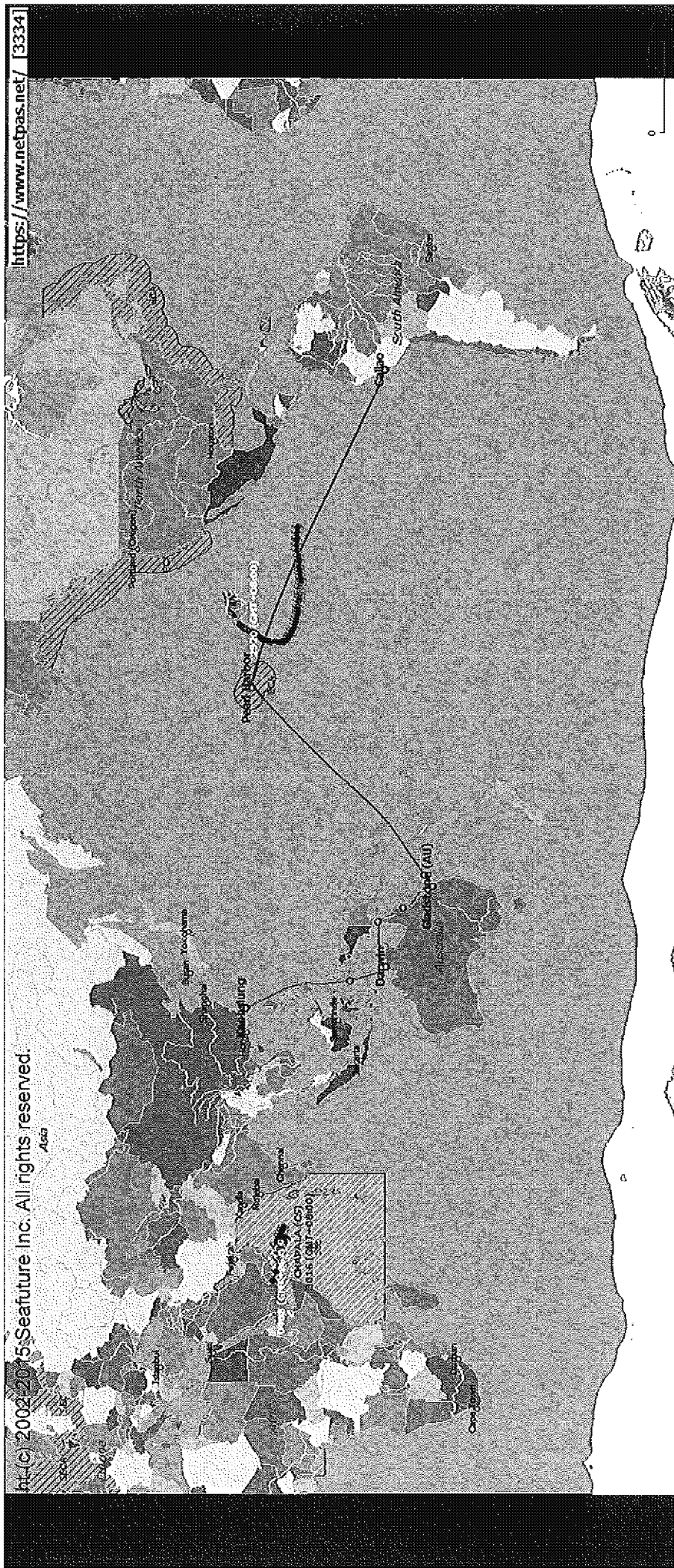
Operations Manager, Thorco Shipping A/S

Tel: +65 6922 8620

Email: 2ops@thorcoshipping.com

This completed and signed report should be sent to:

1. In the United States by email to: marine-eca@epa.gov
2. To the vessel's Flag State Administrator



| Create Voyage | | SUEZ | | PANAMA | | Speed: 14.0 | | Kt's | | Simple Estimation | |
|---|----------------------------|--------------|-------|---------|-------|-------------|------|-------------|---------|-------------------|--|
| No | Port Name or Coordinates | Distance Ttl | ISECA | Weather | Speed | Sea | Port | Port Charge | Arrival | Departure | |
| 1 | Kaohsiung (TW) [+09:00] | | | | | | | | | | |
| 2 | Darwin (AU) [+09:30] | 2,243 | 0 | 0 % | 14.00 | 6.67 | 0.00 | 0.00 | | | |
| 3 | Gladstone (AU) [+09:00] | 1,771 | 0 | 0 % | 14.00 | 5.27 | 0.00 | 0.00 | | | |
| 4 | Pearl Harbor (US) [-10:00] | 4,034 | 243 | 0 % | 14.00 | 12.00 | 0.00 | 0.00 | | | |
| 5 | Callao (PE) [-05:00] | 5,273 | 367 | 0 % | 14.00 | 15.39 | 0.00 | 0.00 | | | |
| 6 | | | | | | | | | | | |
| Total | | 13,220 | 640 | NM | | 39.34 | 0.00 | 0.00 | | | |
| Get Distance (ft) Clear Move Up Move Down Insert Row Remove Row | | | | | | | | | | | |
| Port Local PC Time GMT+08:00 | | | | | | | | | | | |